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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,341	09/30/2003	Min Kuo	66329/31351	5786
23380 7590 05/13/2009 TUCKER ELLIS & WEST LLP 1150 HUNTINGTON BUILDING 925 EUCLID AVENUE CLEVELAND, OH 44115-1414				
EXAMINER ROBINSON, MYLES D				
ART UNIT		PAPER NUMBER		
2625				
NOTIFICATION DATE		DELIVERY MODE		
05/13/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/675,341

Applicant(s)

KUO ET AL.

Examiner

Myles D. Robinson

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 7, 9 - 16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 7, 9 - 16 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2009 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 2/18/2009, and has been entered and made of record. Currently, **claims 1 – 7, 9 – 16 and 18** are pending.

Response to Arguments

2. Applicant's arguments (*see Remarks 2/18/2009*) with respect to the rejection(s) of **claims 1 – 7, 9 – 16 and 18** under 35 U.S.C. §102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of **Ferlitsch et al.** (U.S. Patent Application Publication No. 2004/0190042).

Regarding **claims 1 and 10**, the Applicant argues that **Kageyama et al.** (U.S. Patent No. 7,092,117) does not disclose, teach or suggest at least one document output parameter including a document finishing setting including stapling number of copies or hole punch (*see Remarks 2/18/2009 [page 9, line 21 – page 10, line 4]*).

However, Ferlitsch does disclose at least one document output parameter including a document finishing setting including stapling number of copies or hole punch (*see Fig. 3 wherein the user selects print job options relating to the printer device's capabilities [i.e. stapling, hole punching, etc.] via the dialog [e.g. panel display] in step 78 [paragraph 0060] and wherein direct printing of print jobs as printer ready data [i.e. page description language] is determined in step 80 [paragraphs 0061 – 0062] such*

that the output is modified by the addition of PJJL or other PDL commands for specifying print options, such as stapling [paragraph 0011]).

Therefore, the Applicant's arguments regarding claims 1 and 10 are considered not persuasive. Please cite rationale of the grounds of rejection below for further explanation.

Drawings

3. The drawings were received on 2/18/2009. These drawings are acceptable.
4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the contemporaneous storage of the print job data in the page description format along with the parameter data associated therewith (as recited in claims 1 and 10) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Upon meeting the 3-prong analysis, the Examiner presumes that claims 1 – 7 and 9 to invoke 35 U.S.C. §112, sixth paragraph. See MPEP 2181 I.
7. ***Claims 1 – 3, 5, 6, 9, 10 – 12, 14, 15 and 18*** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kageyama *et al.*** (U.S. Patent No. 7,092,117) in view of **Ferlitsch *et al.*** (U.S. Patent Application Publication No. 2004/0190042).

Referring to **claim 1**, Kageyama discloses a system for storing of print job data comprising:

means for acquiring, into a controller of an associated rendering device, print job data representative of a desired print job (*see Figs. 1 and 3 wherein printer 100 receives a PDL document from one of computers 310, 320, 330 and prints as instructed*

by application program section 3140 [column 2, line 66 – column 3, line 11 and [column 3, lines 23 – 28]], which print job data is comprised of a page description language format (see Fig. 16, PDL-format document 1630-1, 1640-1 [column 3, lines 50 – 55 and column 4, lines 39 – 56]) associated with a selected printer device (see Fig. 1, printer 100 [column 2, lines 44 – 55]) and parameter data corresponding to at least one selected document output parameter associated with the page description language (see Fig. 5 wherein job tickets 2211-d, 2211-e correspond to editable format document 2211-b, which corresponds to the PDL format, and likewise, job tickets 2212-d, 2212-e, 2213-d, 2213-e, 2215-d, 2215-3, 2216-d, 2216-e correspond to PDL-formatted documents 2212-a, 2213-a, 2215-a, 2216-a, respectively [column 5, lines 7 – 43]),

converting means associated with the controller for converting acquired print job data into bitmapped image data (see Fig. 3, printer logical driver section 3130 [column 3, lines 29 – 36] wherein dot image data is analogous to bitmapped image data),

means for generating a printout from the rendering device in accordance with an output of the controller (see Fig. 2, printer engine 500 [column 2, lines 44 – 55]),

storage means for selectively storing the print job data in the page description format in a selected storage location of the controller contemporaneously with the parameter data associated therewith (see Figs. 2 and 5 wherein archive 2200 stores PDL-format documents 1640-1, 2211-a, 2212-a, 2213-a, 2215-a, 2216-a and job tickets 2211-d, 2211-e, 2212-d, 2212-e, 2213-d, 2213-e, 2215-d, 2215-3, 2216-d, 2216-e [column 3, lines 37 – 41, column 4, lines 28 – 44 and column 5, lines 1 – 43]),

means for acquiring print status information including data representative of a name associated with the print job data and data representative of a size of the print job data (see Figs. 10 – 12 wherein computer 300 provides a user interface which displays the names and sizes associated with print jobs registered in archive 2200 [column 3, line 65 – column 4, line 16, column 9, lines 7 – 13 and column 9, line 65 – column 10, line 4]),

the storage means including means for selectively storing the print status information associatively with the print job data (see Fig. 5 wherein each document is registered in archive 2220 along with its associated job ticket [column 5, lines 25 – 43 and column 9, lines 7 – 13]),

means for selectively communicating the print job data to generate an image corresponding thereto on an associated display device, the print job data corresponding to the print job data stored in the page description format in the storage location (see Figs. 10 – 12 wherein computer 300 provides a user interface which displays the names and sizes associated with print jobs registered in archive 2200 [column 3, line 65 – column 4, line 16, column 9, lines 7 – 13 and column 9, line 65 – column 10, line 4]),

means for receiving selection data in accordance with the image from the associated display device, which selection data includes an instruction to commence at least a second rendering of associated print job information stored in the page description format (see Figs. 10 – 12 wherein computer 300 provides a user interface which displays the names and sizes associated with print jobs registered in archive 2200 [column 3, line 65 – column 4, line 16, column 9, lines 7 – 13 and column 9, line

65 – column 10, line 4] and wherein print, storage, and storage and print requests are issued from archive management instruction section 3170 of computer 300 to the archive management service section 2230 of printer controller 200 such that archive management instruction section 3170 instructs archive management section 2230 in the printer controller 200 to print the documents already stored therein [column 3, line 65 – column 4, line 3 and column 9, lines 7 – 29]),

means for receiving edit data corresponding to selected edits to stored parameter data (see Fig. 14 wherein edit attributes 1402, 1402-1, 1402-2 allow for editable-format documents [i.e. PDL-formatted documents] to be edited [column 16, line 56 – column 17, line 24] and see Fig. 16 wherein archive management service section 2230 accepts and processes requests of edition for archive 2200 [column 9, line 61 – column 10, line 4, column 14, lines 8 – 12 and line 18]),

the converting means including means for completing a second conversion of the print job information stored in the page description format to the bitmapped image data (see Figs. 2 and 6, document format conversion section 2700 comprising PDL format conversion section 2710 and image format conversion section 2720 [column 19, lines 31 – 47 and column 19, line 60 – column 20, line 17])), and

means for selectively communicating the bitmapped image data of the second conversion of print job data to the selected printer device to obtain a subsequent printout thereof (see Figs. 10 – 12 wherein computer 300 provides a user interface which displays the names and sizes associated with print jobs registered in archive 2200 [column 3, line 65 – column 4, line 16, column 9, lines 7 – 13 and column 9, line

65 – column 10, line 4] wherein print, storage, and storage and print requests are issued from archive management instruction section 3170 of computer 300 to the archive management service section 2230 of printer controller 200 such that archive management instruction section 3170 instructs archive management section 2230 in the printer controller 200 to print the documents already stored therein [column 3, line 65 – column 4, line 3 and column 9, lines 7 – 29] and see Figs. 22 – 23 [column 26, lines 38 – 45]) in accordance with the stored parameter data and received edits thereto (column 18, lines 16 – 25) but does not explicitly disclose the system further wherein the at least one document output parameter including a document finishing setting including stapling number of copies or hole-punch.

Ferlitsch discloses the system comprising:

means for acquiring print job data representative of a desired print job, which print job data is comprised of a page description language format (see Fig. 3 wherein a print job may be output as page description language [i.e. printer ready data], such as PCL, PostScript, PDF, TIFF, etc. [paragraph 0058]) associated with a selected printer device (see Fig. 3 wherein the print job is initiated in step 70, the user selects a printer device via the dialog [e.g. panel display] in step 72 and then determines whether a printer device has been selected for the initiated print job in step 74 [paragraph 0059]) and parameter data corresponding to at least one selected document output parameter associated with the page description language, wherein the at least one document output parameter including a document finishing setting including stapling number of copies or hole-punch (see Fig. 3 wherein the user selects print job options relating to

the printer device's capabilities [i.e. stapling, hole punching, etc.] via the dialog [e.g. panel display] in step 78 [paragraph 0060] and wherein direct printing of print jobs as printer ready data [i.e. page description language] is determined in step 80 [paragraphs 0061 – 0062] such that the output is modified by the addition of PjL or other PDL commands for specifying print options, such as stapling [paragraph 0011]).

Kageyama and Ferlitsch are combinable because they are from the same field of endeavor, being digital networked printing systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include specifying print options by modifying the page description language of a print job within such networked printing systems. The suggestion/motivation for doing so would have been to allow printers to render the print job once or RIP once in direct printing as well as to restart a failed print job on an alternative printing device, as suggested by Ferlitsch (*paragraphs 0010 – 0011*).

Referring to **claim 2**, Kageyama discloses the system further wherein the storage means comprise multiple storage locations for storing the print job data (*see Fig. 5 wherein each document i ($i = 1, 2, \dots, N$) is stored in archive 2200 [column 5, lines 18 – 29] and see Figs. 10 – 12 wherein archive 2200 is divided into hierarchical folders [column 4, lines 4 – 16]*).

Referring to **claim 3**, Kageyama discloses the system further comprising selection means for selecting the storage location to store the print job data (*see Figs. 10 – 12 [column 3, lines 39 – 41, column 3, line 65 – column 16 and column 5, lines 1 – 6]*).

Referring to **claim 5**, Kageyama discloses the system further wherein the selection means includes:

means for prompting an associated user for selection data to select a storage location to store print job data associated with the user (*see Fig. 9 [column 3, lines 39 – 41 and column 4, lines 22 – 44]*),

means for receiving user selection data resultant from a prompt of the user for the storage location to store print job data associated with the user (*see Figs. 10 – 12 [column 3, line 65 – column 4, line 16]*), and

means for storing the print job data in the storage location in accordance with the user selection data (*see Figs. 5, 16 and 17 [column 3, lines 39 – 41 and column 4, lines 22 – 44]*).

Referring to **claim 6**, Kageyama discloses the system further comprising means for selecting parameters for the desired print job (*see Fig. 5 wherein job tickets are parameters entered by the user for each print job [column 5, lines 25 – 29 and 55 – 65]*).

Referring to **claim 9**, Kageyama discloses the system further comprising means for performing raster image processing on the print job (*see Figs. 2, 6 and 17, automatic page/document layout section 2810 [column 5, line 55 – column 6, line 5]*).

Referring to **claims 10 – 12, 14, 15 and 18**, the rationale provided in the rejections of claims 1 – 3, 5, 6 and 9, respectively, are incorporated herein. In addition, the systems of claims 1 – 3, 5, 6 and 9 perform the methods of claims 10 – 12, 14, 15 and 18, respectively.

8. **Claims 4, 7, 13 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kageyama et al.** (U.S. Patent No. 7,092,117) in view of **Ferlitsch et al.** (U.S. Patent Application Publication No. 2004/0190042) and further in view of **Rosekrans et al.** (U.S. Patent No. 5,450,571).

Referring to **claim 4**, Kageyama and Ferlitsch disclose the system as discussed above in the rejection of claim 3 but does not explicitly disclose the system further wherein the selection means comprise means for storing selection data which pre-authorizes selection of a specified storage location for storing print job data.

Rosekrans discloses the system wherein the selection means comprise means for storing selection data which pre-authorizes selection of a specified storage location for storing print job data (*see Fig. 6 wherein validation 64 authorizes print program selections prior to sending out the print request, or in other words, before documents 45 are sent to its selected print queue 2 within job ticket 5 [column 6, lines 42 – 52] in which validation is completed prior to the normal stage of document 45 within document directory 70 [column 6, lines 4 – 8]*).

Kageyama and Rosekrans are combinable because they are from the same field of endeavor, being print job programming using job tickets in digital printing systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include authorize, or verify, print parameter selections prior to storing and executing print jobs. The suggestion/motivation for doing so would have been to preventing the user from selecting print options which are impossible for the printer to perform, as

suggested by Rosekrans (*column 1, lines 24 – 41, column 2, lines 57 – 62 and column 6, lines 42 – 62*).

Referring to **claim 7**, Kageyama discloses the system further wherein the parameters which are selected include finishing options (*see Figs. 2, 4 and 6, print control section 2510, engine/finisher control section 430, finisher 510 [column 13, lines 26 – 30 and 56 – 60]*).

Furthermore, Ferlitsch discloses the system further wherein the parameters which are selected include finishing options (*see Fig. 3 wherein the user selects print job options relating to the printer device's capabilities [i.e. stapling, hole punching, etc.] via the dialog [e.g. panel display] in step 78 [paragraph 0060]*).

However, neither Kageyama nor Ferlitsch explicitly disclose the system further wherein the parameters which are selected include number of copies, finishing options, and merging of two print jobs.

Rosekrans discloses the system wherein the parameters which are selected include number of copies, finishing options, and merging of two print jobs (*see Figs. 3 and 5, job ticket 35 [column 3, lines 32 – 37, 62 – 68, column 4, lines 12 – 19 and 53 – 62]*).

Kageyama and Rosekrans are combinable because they are from the same field of endeavor, being print job programming using job tickets in digital printing systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include programming a print job using a job ticket displayed on a user interface along with printing systems. The suggestion/motivation for doing so would have been to

easily allow the user to select from the menu of options in the job ticket displayed on the screen the choices which he/she desires as well as easily discern those options which are not available, as suggested by Rosekrans (*column 1, lines 24 – 41, column 2, lines 57 – 62 and column 6, lines 53 – 62*).

Referring to **claims 13 and 16**, the rationale provided in the rejections of claims 4 and 7, respectively, are incorporated herein. In addition, the systems of claims 4 and 7 perform the methods of claims 13 and 16, respectively.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571)272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Myles D. Robinson/
Examiner, Art Unit 2625
5/7/09

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625